

LEWIS
ANDROCA
LLP

L A W Y E R S

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3993 Howard Hughes Parkway, Suite 600
Las Vegas, Nevada 89169
Facsimile (702) 949-8321
Telephone (702) 949-8320

40 North Central Avenue, Suite 1900
Phoenix, Arizona 85004-4429

Rob Charles NV State Bar No. 006593
Email: rcharles@lrlaw.com
John Hinderaker AZ State Bar No. 018024
Email: JHinderaker@lrlaw.com

Attorneys for USACM Liquidating Trust

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

In re:

USA Commercial Mortgage Company,

USA Capital Realty Advisors, LLC,¹

USA Capital Diversified Trust Deed Fund,
LLC,

USA Capital First Trust Deed Fund, LLC,²

USA Securities, LLC,³

Debtors.

Affects:

- ☐ All Debtors
☒ USA Commercial Mortgage Company
☐ USA Capital Realty Advisors, LLC
☐ USA Capital Diversified Trust Deed Fund, LLC
☐ USA Capital First Trust Deed Fund, LLC
☐ USA Securities, LLC

Case No. BK-S-06-10725-LBR
Case No. BK-S-06-10726-LBR¹
Case No. BK-S-06-10727-LBR
Case No. BK-S-06-10728-LBR²
Case No. BK-S-06-10729-LBR³

CHAPTER 11

Jointly Administered Under Case No.
BK-S-06-10725 LBR

**DECLARATION OF EDWARD M.
BURR IN SUPPORT OF OMNIBUS
OBJECTIONS TO PROOFS OF
CLAIM BASED UPON PALM
TERRACE LITIGATION; AND
CERTIFICATE OF SERVICE**

Date: February 20, 2009
Time: 9:30 a.m.

1. I Edward M. Burr, hereby declare under penalty of perjury that:
2. I am a principal with Sierra Consulting Group, LLC ("Sierra").

¹ This bankruptcy case was closed on September 23, 2008.

² This bankruptcy case was closed on October 12, 2007.

³ This bankruptcy case was closed on December 21, 2007.

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LAWYERS

1 3. I submit this declaration on behalf of the Omnibus Objections to Proofs of
2 Claim Based Upon Palm Terrace Litigation (the "Objections") [DE 6752, 6753, 6754, and
3 6755] filed by the USACM Liquidating Trust (the "USACM Trust"), as successor to USA
4 Commercial Mortgage Company ("USACM").

5 4. Sierra previously served as financial adviser to the Official Committee of
6 Unsecured Creditors of USA Commercial Mortgage Company ("Committee").

7 5. I assisted the Committee in analyzing facts concerning these jointly
8 administered bankruptcy cases, including scheduled liabilities and proofs of claim. The
9 Committee ceased to exist on March 12, 2007, the Effective Date of the Debtors' Third
10 Amended Joint Chapter 11 Plan of Reorganization ("Plan"), and I am now assisting the
11 USACM Liquidating Trust ("USACM Trust") created under the Plan.

12 6. I make the following declaration based upon my personal knowledge, and
13 upon the records of the Debtors and the USACM Trust described in this declaration.

14 7. On March 12, 2007, the Effective Date of the Plan, the USACM Liquidating
15 Trust succeeded to USACM's rights with respect books and records

16 8. I understand that under the Plan as modified by the Confirmation Order, the
17 deadline for interested parties to object to allowance of claims and equity interests was 90
18 days after the Effective Date, or June 10, 2007. That deadline was further extended to
19 February 9, 2009 by Order of this Court.

20 9. Sierra has been working closely with both the Trustee for the USACM
21 Liquidating Trust and Development Specialist Inc. ("DSI"), the Trustee's financial
22 advisor, in evaluating all of the claims that were filed in the USACM estate.

23 10. The Trustee prepared the Omnibus Objections to the Proofs of Claim Based
24 Upon Palm Terrace Litigation filed in the USA Commercial Mortgage Company Estate.

25 11. I make this declaration under penalty of perjury of the laws of the United
26 States of America on January 20, 2009.

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By /s/ Edward M. Burr

Edward M. Burr

Copy of the foregoing mailed by first
class postage prepaid U.S. Mail on
January 20, 2009 to:

Bruce Piontkowski
ROPERS, MAJESKI, KOHN & BENTLEY
80 North First Street
San Jose, CA 95113-1201

Bruce Piontkowski
Tingley Piontkowski, LLP
10 Almaden Blvd.
Suite # 430
San Jose, CA 95113

LEWIS AND ROCA LLP

/s/ Carrie Lawrence
Carrie Lawrence